## Department of State Division of Publications

312 Rosa L. Parks. 8th Floor Snodgrass Tower

Nashville, TN 37243 Phone: 615.741.2650 Fax: 615.741.5133

Email: sos.information@state.tn.us

### For Department of State Use Only

Sequence Number: 09-3(-08)Notice ID(s): 926

File Date: 09 30 08

# **Notice of Rulemaking Hearing**

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Co	mmission:	Department of Human Services	
	Division:	Adult and Family Services	
Conta	act Person:	Janice Y. Brown	
	Address:	Citizens Plaza Building, 10th Floor 400 Deaderick Street Nashville, Tennessee 37243-1403	
	Phone:	615-313-4731	
	Email:	anice.y.brown@state.tn.us	
facilitate such partici	pation should o	wish to participate in these proceedings (to re ontact the following at least 10 days prior to th	eview these filings) and may require aid to be hearing:
ADA Contact: Address:		Natasha Webster Citizens Plaza Building, 10 <sup>th</sup> Floor 400 Deaderick Street Nashville, Tennessee 37243-1403	
	Phone:	615-313-4731	
	Email:	natasha.webster@state.tn.us	
Hearing Locati	Citizens Pla	ditional locations, copy and paste table)	
	2 <sup>nd</sup> Floor Board Room 400 Deaderick Street		
Address 2:			
City:	Nashville, Tennessee		
Zip:	37243-1403		
Hearing Date:	(11/17/08)		
Hearing Time:	6:30 PM	☐ CST ☐ EST	
Address 1:	Conference Room A, 7th Floor 531 Henley Street		
Address 2:	-		
City:	Knoxville, Tennessee		
Zip:	37902		
Hearing Date:			
Hearing Time:	6:30 PM ☐ CST ☐ EST		
Address 1:	Cookeville [	strict Office	

	4000 F 1 1 D : 0 '/ D					
		1000 England Drive, Suite B				
Address 2:						
City:						
Zip:						
Hearing Date :	(11/18/08)					
Hearing Time:	:   6:30 PM	-				
Address 1:	2 <sup>nd</sup> Floor Conference Room B, Ste 210					
7.00.000	Lowell Thomas State Office Building					
	225 Martin Luther King, Jr. Drive					
Address 2:						
City:						
Zip:						
Hearing Date :						
Hearing Time:		-				
Tioding Time.	0.00   M					
Address 1:						
	540 McCallie Ave.					
Address 2:						
City:		-				
Zip:						
Hearing Date :		-				
Hearing Time:	: 6:30 PM ☐ CST ☒ EST					
Address 1:	2 <sup>nd</sup> Floor Auditorium					
	Donnely J. Hill State Office Building					
	170 North Main Street					
Address 2:						
City:	Memphis, Tennessee					
Zip:						
Hearing Date:						
Hearing Time:		-				
	<del></del>					
Address 1:	Conference Room					
Audiess I.						
Addross Or	103 E. Walnut Street					
Address 2:						
City:						
Zip:						
Hearing Date :		-				
Hearing Time:	:   6:30 PM   CST   EST					
<b>Additional Hea</b>	earing Information:					
Revision Type	e (check all that apply):					
X Amendment	c torrook arr triat apply).					
New						
New Repeal						
Nopedi						

Rule(s) (for additional chapters, copy and paste table)

Chapter Number	Chapter Title
1240-04-03	Licensure Rules for Child Care Centers
Rule Number	Rule Title
1240-04-0309	Program

#### Chapter 1240-04-03 Licensure Rules for Child Care Centers

#### Amendments

Rule 1240-04-03-.09 Program, is amended by deleting subparagraphs (g) and (h) under paragraph (7), and by substituting instead the following language so that, as amended, subparagraph (g) under paragraph (7) shall read as follows:

- (g) Personal Safety Curriculum.
  - 1. For ages three (3) through school-age, the curriculum shall include instruction in personal safety as needed, but at least once a year.
  - 2. The personal safety curriculum shall include a Department-recognized component on the prevention of child abuse, including child sexual abuse, based upon Department curriculum guidelines provided to the child care provider in any suitable format. The child care provider may choose terminology and instructional methods for this curriculum with a goal of providing clear, effective and appropriate instruction to the children in personal safety, including the prevention of child abuse.
  - 3. Beginning October 1, 2008 the personal safety curriculum used by a child care agency shall be made available by the child care agency to parents and legal guardians for review. The child care agency shall use a standard notification form developed by the Department that will be provided to the parents or legal guardians by the child care agency to confirm their review of the personal safety curriculum.
  - 4. The record of each enrolled child shall include a copy of the signed notification form acknowledging that parents/legal guardians have been provided an opportunity to review the agency's personal safety curriculum, and have been notified of the sexual abuse/personal safety curriculum for their child.
  - If parents/legal guardians have questions regarding the personal safety component of the curriculum a representative of the child care agency shall meet with the parent/legal guardian to discuss the personal safety component of the curriculum.
  - 6. For school-age children the curriculum shall include instruction on reporting physical, verbal or sexual abuse.

Authority: T.C.A. § 71-3-502; 2008 Tenn. Pub. Acts 1032.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Signature:

Name of Officer: (Jarice Y. Browk

Assistant General Counsel

Title of Officer: Tennessee Department of Human Services

Subscribed and sworn to before me on

Notary Public Signature:

My commission expires on:

Department of State Use Only

Filed with the Department of State on:

Secretary of State

SS-7037 (August, 2008)